

More particularly, the Examiner has required restriction to one of the following Examiner defined inventions, citing 35 U.S.C. 121, namely:

I. Claims 1-41, drawn to a hardened voyage data recorder; and

II. Claims 42-46, drawn to a process for fabricating a hardened voyage data recorder.

The Examiner did not specify the class and subclass for each claim grouping at the time of the subject Election/Restriction Requirement was communicated.

Applicants' attorney and the Examiner discussed the instant election/restriction requirement during the telephone interview held on February 5, 2003.

At that time, applicant's attorney indicated that an election would be made with traverse; and that the Group I claims (claims 1-41, drawn to a hardened data recorder), would be elected for the purposes of responding to the Examiner's action and allowing examination to proceed.

The election is made with traverse to preserve the opportunity at a later date to argue for consolidation of the claims restricted out by virtue of the election made following the restriction requirement.

The grounds for traverse will be set forth following examination and analysis of the written Restriction Requirement which is expected to be documented in the First Official Action received from the PTO.

Again, at this time applicant elects, with traverse, Group I, claims 1-41, and thanks the Examiner for his courtesies on the telephone during the interview to discuss the pending application.

No fees are due with the filing of this paper.

Further, this paper is being filed via Express Mail.

Applicant respectfully requests consideration of
the Group I claims (claims 1-41) and solicits the allowance
of these claims at an early date.



RESPECTFULLY SUBMITTED,

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